

Y-302.12 Filing Requirements

(a) The name of the administrative official or public agency whose decision is the subject of the zoning appeal

Matthew LeGrant, DCRA, Zoning Administrator

(b) A statement identifying the administrative decision appealed, by permit or certificate number, or other identifying information, together with a copy of the decision;

Issuance of Building Permit B2103902. A copy has been provided to the record

(c) The square(s) and lot(s) and/or street address of the property involved, and the zone district within which it is located

Square 1043, Lot 0166. 1323 E Street SE. PRD-1 Zoning

(d) The name and address of the owner, lessee, operator, and/or contract purchaser of the property that is the subject of the appeal, if not the appellant

Owner: E Street Phoenix LLC. John Weintraub, Owner. 409 4th Street SE Washington, DC 20003

Lessee: Door Dash. 1323 E Street SE Washington, DC 20003

(e) A statement demonstrating that the zoning appeal meets the jurisdictional requirement of timeliness, as specified in Subtitle Y § 302.2, which shall specifically indicate:

(1) The date upon which the appellant first had notice or knowledge of the decision being appealed;

May 5, 2021

(2) The circumstances under which such notice or knowledge occurred;

The permit was included in the weekly DCRA email to ANC Commissioners

(f) A statement as to how the appellant has standing to bring the appeal, specifically with regard to the administrative decision being appealed:

(1) For an appeal brought by an officer or department of the government of the District of Columbia or the federal government the statement shall explain how they are affected by the administrative decision; and

ANC 6B is the Affected ANC of this project and the property is wholly contained within ANC 6B

(2) For all other appeals, the statement shall explain how the appellant is aggrieved;

(g) A statement of the issues on appeal, identifying the relevant subsection(s) for each issue of the Zoning Regulations;

See Attached Statement

(h) All statements, information, briefs, reports (including reports and statements of experts and other witnesses), plans, photographs, or other exhibits that the appellant may wish to offer in evidence at the public hearing;

Statements, photographs, and documents are attached. ANC 6B expects to supplement the record if or when this underlying building permit is revised or a Certificate of Occupancy is issued and any new zoning violations are alleged

(i) A copy of the resume of any expert witness who will be testifying in the case;

ANC 6B has not retained any expert witnesses but if retained, notice will be served on all parties and potential intervenors

(j) A written summary of the testimony of all witnesses; and

The testimony of all witnesses will generally comport to the including statement of appeal, including sworn testimony on the items identified in how ANC 6B will prove their case.

(k) If a map, plan, or other document is readily available to the general public, in lieu of filing a copy of the document, the appellant need only provide a complete citation to the source of the document and indicate where the public may view the document.

ANC 6B has included relevant building permit filings, plans, applications, and pages, certificates of occupancy and applications, and historic surveyor documents. Some of these documents are available through DCRA's eRecords and SurDocs systems and sometimes must be cross referenced to the Recorder of Deeds documents images, but they are included as a courtesy to the board and public. The document file numbers are noted, but the system can be burdensome for those not familiar with it.